


STATE OF SOUTH DAKOTA) IN CIRCUIT COURT
: SS
COUNTY OF MINNEHAHA) SECOND JUDICIAL CIRCUIT
* * * * *
*
TORI LINDSTROM, * CIV. 14-____
Plaintiff, *
*
vs. * SUMMONS
*
THE PRUDENTIAL INSURANCE *
COMPANY OF AMERICA, *
Defendant. *
*
* * * * *

THE STATE OF SOUTH DAKOTA TO THE ABOVE NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED and required to serve upon the undersigned, plaintiff's attorney, Michael E. Unke, whose post office address is 341 North Main, Box 529, Salem, South Dakota 57058-0529, an Answer to the Complaint which is herewith served upon you within thirty (30) days from the date of the service of this Summons upon you, exclusive of the date of such service.

IF YOU FAIL TO DO SO, Judgment by Default may be rendered against you as requested in the plaintiff's Complaint thirty (30) days after the completed service of plaintiff's Summons and Complaint.

Dated in Salem, South Dakota this 25th day of September, 2014.



Michael E. Unke
Attorney for Plaintiff
341 North Main, Box 529
Salem, SD 57058-0529
Telephone: 605-425-3131

MICHAEL E. UNKE
ATTORNEY AT LAW
OFFICE PHONE 605-425-3131
FACSIMILE 605-425-2977
341 NORTH MAIN
P.O. BOX 529
SALEM, SOUTH DAKOTA 57058-0529

EXHIBIT A

STATE OF SOUTH DAKOTA) IN CIRCUIT COURT
: SS
COUNTY OF MINNEHAHA) SECOND JUDICIAL CIRCUIT
* * * * *
TORI LINDSTROM, * CIV. 14-____
Plaintiff, *
vs. * COMPLAINT
THE PRUDENTIAL INSURANCE *
COMPANY OF AMERICA, *
Defendant. *
* * * * *

COMES NOW the plaintiff, Tori Lindstrom, by and through her attorney, Michael E. Unke of Salem, South Dakota, and for her cause of action against the defendant, state and allege as follows:

1.

Tori Lindstrom resides in rural Montrose, Minnehaha County, South Dakota.

2.

Defendant, The Prudential Insurance Company of America, is an insurance company that conducts business in South Dakota to include life insurance.

3.

Defendant issued a life insurance policy to Joseph Tanner Olsen in South Dakota through his employer, Pipestone Systems.

4.

Plaintiff is the beneficiary of the defendant's life insurance policy insuring Joseph Tanner Olsen.

5.

Joseph Tanner Olsen died following injuries received in a car accident on 4/8/2014.

MICHAEL E. UNKE

ATTORNEY AT LAW

OFFICE PHONE 605-425-3131

FACSIMILE 605-425-2977

341 NORTH MAIN

P.O. BOX 529

SALEM, SOUTH DAKOTA 57058-0529

6.

Plaintiff filed a claim with defendant, which defendant refuses to pay until defendant receives medical records/discharge records from Sanford USD Medical Center, and a copy of the toxicology report.

7.

Plaintiff is unable to get these records because she was not married to Joseph Tanner Olsen and Olsen's mother refuses to do so.

8.

Plaintiff provided defendant with a copy of the accident report from the South Dakota Department of Public Safety. Said report indicated that neither alcohol nor drugs were involved in the accident. Defendant only expressed concern was whether alcohol was involved.

9.

Defendant is refusing to pay the life insurance proceeds to plaintiff.


10.

Defendant's actions in refusing to pay the life insurance proceeds is in bad faith.

Wherefore, plaintiff prays for the following relief:

- 1) A judgment against the defendant for the amount of the proceeds of the life insurance policy issued by defendant;
- 2) Prejudgment interest from the date of death of Joseph Tanner Olsen;
- 3) Attorney fees;
- 4) Costs and disbursements of this action;
- 5) Whatever else the court deems just and equitable.

Dated at Salem, South Dakota, this 25th day of September, 2014.



Michael E. Unke
Attorney for Plaintiff
341 North Main, Box 529
Salem, SD 57058-0529
Telephone: 605-425-3131

DEMAND FOR JURY TRIAL

Plaintiff requests a jury trial.



Michael E. Unke

MICHAEL E. UNKE
ATTORNEY AT LAW
OFFICE PHONE 605-425-3131
FACSIMILE 605-425-2977
341 NORTH MAIN
P.O. BOX 529
SALEM, SOUTH DAKOTA 57058-0529



**Service of Process
Transmittal**

09/30/2014

CT Log Number 525788500

TO: Christine Gillen
The Prudential Insurance Company of America
Legal Department, 751 Broad St, 4th Floor
Newark, NJ 07102

RE: Process Served in South Dakota

FOR: The Prudential Insurance Company of America (Domestic State: NJ)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Tori Lindstrom, Pltff. vs. The Prudential Insurance Company of America, Dft.
DOCUMENT(S) SERVED: Letter, Summons, Complaint
COURT/AGENCY: Circuit Court, Minnehaha County, SD
Case # 14SC0056
NATURE OF ACTION: Insurance Litigation - Claim for policy benefits
ON WHOM PROCESS WAS SERVED: C T Corporation System, Pierre, SD
DATE AND HOUR OF SERVICE: By Certified Mail on 09/30/2014 postmarked on 09/29/2014
JURISDICTION SERVED : South Dakota
APPEARANCE OR ANSWER DUE: Within 30 days from the date of service of this summons upon you, exclusive of the day of such services
ATTORNEY(S) / SENDER(S): Michael E. Unke
341 North Main, Box 529
Salem, SD 57058
605-425-3131
ACTION ITEMS: CT has retained the current log, Retain Date: 09/30/2014, Expected Purge Date: 10/05/2014
Image SOP
Email Notification, Legal Process Unit legal.process.unit@prudential.com
SIGNED: C T Corporation System
ADDRESS: 319 S. Coteau Street
Pierre, SD 57501
TELEPHONE: 503-566-6883



Division of Insurance
Tel: 605.773.3563
Fax: 605.773.5369
www.dlr.sd.gov/insurance

September 29, 2014

VIA CERTIFIED MAIL

CT Corporation System
As Registered Agent for
Prudential Ins. Co. of America
319 South Coteau
Pierre, SD 57501

Re: 14-SC-0056
Tori Lindstrom vs. Prudential Insurance Company of America

Pursuant to SDCL 58-6-39, we are enclosing a copy of a Summons and Complaint, a complaint in the above-entitled action in which Prudential Insurance Company of America is a party. Service was admitted on the 29th day of September, 2014, at 9:00 a.m.

Should the matter be resolved through a settlement agreement, the Division requests that the settlement agreement not contain a confidentiality agreement that would preclude our obtaining information pertinent to the suit, so as to avoid conflict with the Division's broad statutory mandate allowing us to obtain any information we ask from licensees.

Please contact Eva Briggs at (605)773-4104 should you have any questions.

Sincerely,

A handwritten signature in black ink, reading 'Merle Scheiber'. The signature is written in a cursive, flowing style.

Merle Scheiber, Director
S.D. Division of Insurance



Division of Insurance
124 South Euclid Avenue, 2nd Floor
Pierre, SD 57501

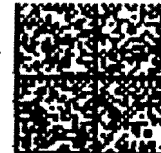
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South Dakota
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CT CORPORATION SYSTEM
AS REGISTERED AGENT FOR
PRUDENTIAL INS. CO. OF AMERICA
319 SOUTH COTEAU
PIERRE, SD 57501